

Application No. 10/630,478
Amdt. Dated January 11, 2007

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REMARKS/ARGUMENTS

1. Remarks on the Amendments

Claim 21 has been further amended to more specifically define Applicants' claimed invention.

Antecedent basis for the amendment can be found in the Specification as filed. More specifically, the threaded dental implant can be found on page 12, second paragraph, and Fig. 2 of the Specification as filed. Applicants respectfully submit no new matter has been introduced by the amendments.

2. Further Response to the Rejection of Claims 21, and 23-24 Based Upon 35 U.S.C. §103(a)

Claims 21 and 23-24 stand rejected under 35 USC §103(a) as being unpatentable over Porter et al (US Patent No. 6,887,077) in view of Lorenzi (2002/0094508). This rejection is respectfully traversed by the amendment.

Claim 21 is an independent claim, and Claims 23-24 are dependent claims of Claim 21.

Applicant maintains that nothing in the art of record teaches or suggests the subject matters positively recited in amended Claim 21.

In addition to the argument presented in Applicants' response dated December 13, 2006, Applicants further submit that Porter et al fail to teach Applicants' claimed kit which comprises a threaded dental implant having a major thread diameter and a minor thread diameter; and a plurality of threaded expanders of substantially same structure with increasing diameters, each having diameters uniformly narrower than the corresponding major thread diameter and minor thread diameter of the dental implant.

Applicants further point out that although Porter et al teach that alternatively, when the bone is softer, shaping drill 30 has a diameter slightly less than minor

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diameter of the thread 20 of the implant, more specifically exemplified with a shaping drill of 2.5 mm for a dental implant having the major and minor diameters of 4.5 mm and 3.5 mm, respectively, the relationship between the diameter of the shaping drill and the minor diameter of the compression tab maintains the same, i.e., the minor diameter of the compression tab is the same or slightly smaller than the diameter of the shaping drill. As such, in the example given by Porter et al, when the major diameter of the compression tab is 0.5 mm less than the major diameter of 4.5 mm of the dental implant, the minor diameter of the compression tab is 2.5 or less (Column 4, lines 2 to 8; lines 55 to 60). Therefore, the major and minor diameters of the compression tab are not uniformly narrower than the corresponding major and minor diameters of the implant, i.e., 0.5 mm narrower in the major diameter and 1.0 mm narrower in the minor diameter.

It is apparent that in the soft bone situation, Porter et al teach to drill a smaller bore and allow the compression tab to expand more using the major diameter (instead of drilling more), however, the minor diameter is still not involved in the expansion. As such, Porter et al's compression tabs do have the major and minor diameters uniformly narrower than the corresponding major and minor diameters of the implant.

Therefore, Applicants maintain that Porter et al teach away from Applicants' claimed invention defined by Claim 21.

Porter et al's deficiencies are not overcome by Lorenzi as described above.

Based on the prior art's teachings, one skilled in the art would not be motivated to combine the references, in the manner suggested by the Examiner, to obtain Applicants' claimed invention, without a reasonable expectation of success.

Therefore, Applicants maintain that Applicants' claimed invention defined by amended Claim 21 is not obvious in view of the art of record.

Under the principles of 35 U.S.C. §112, 4th paragraph, all of the limitations of each independent claim are recited in its respective dependent claims. As described above, independent Claim 21 is unobvious in view of the prior art of record, as such Claims 23-24 are submitted as being allowable over the art of record.

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Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 21 and 23-24 based upon 35 U.S.C. §103(a).

It is respectfully submitted that in addition to the allowed Claims 12-17 and 19-20, Claims 1-5, 8-11, 21 and 23-25, are now in condition for allowance and such action is respectfully requested.

Applicants' Agent respectfully requests direct telephone communication from the Examiner with a view toward any further action deemed necessary to place the application in final condition for allowance.

1/11/2007
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